

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, et
al.,

Debtors¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the Commonwealth of
Puerto Rico.**

**RESPONSE TO ONE HUNDRED NINETY-SECOND OMNIBUS OBJECTION (NON-
SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO
HIGHWAYS AND TRANSPORTATION AUTHORITY, AND EMPLOYEES
RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO TO MISCELLANEOUS DEFICIENT CLAIMS**

TO THE HONORABLE COURT:

COMES NOW Cemex Concretos, Inc. (and/or Cemex de Puerto Rico, Inc.), successor in interest of Ready Mix Concrete, Inc. [hereinafter Cemex], through the undersigned counsel, and hereby states, alleges and prays:

On May 4, 2020, Cemex received a notification, attached as Exhibit A to the present filing, stating that Debtors were objecting to its Proof of Claim filed on June 29, 2018, Claim No.

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

78288 (docketed in the present case as Claim No. 2704), attached as Exhibit B to the present filing. Debtors' Objection alleges that Cemex's Proof of Claim "fails to provide any basis or supporting documentation for asserting a claim against the Commonwealth of Puerto Rico" See Exhibit A. Nevertheless, Cemex did in fact submit with its Proof of Claim such supporting documentation; namely a final Judgment of the Puerto Rico Supreme Court, dated October 22, 2015, and notified on October 27, 2015, in which the Commonwealth of Puerto Rico is ordered to pay Cemex the amount of \$45,175.30 plus interest. See Exhibit C (copy of the referenced Judgment of the Puerto Rico Supreme Court as entered in this case's docket); and Exhibit B (Cemex's Proof of Claim, as entered in this case's docket). Cemex assumes that its Claim was objected by Debtors due to an understandable error, given the volume of claims filed in the present litigation. Hence, Cemex hereby requests that Debtors' Objection be denied, and its referenced Claim be allowed.

WHEREFORE, Cemex respectfully requests that, pursuant to the reasons stated above, this Honorable Court **DENY** Debtors' Objection to its Proof of Claim, and **ALLOW** Cemex's Claim No. 78288 (docketed in the present case as Claim No. 2704).

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 19th day of May 2020.

s/ Jorge R. Roig Colón

JORGE R. ROIG COLÓN

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Attorneys for Cemex

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

In San Juan, Puerto Rico, this 19th day of May 2020.

s/ Jorge R. Roig Colón _____

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